

AGENDA

INSOLVENCY LAW COMMITTEE DECEMBER 9, 2005 10:00 a.m. SACRAMENTO, CALIFORNIA

1. Administrative Matters (Paul Pascuzzi)
 - a. Approval of Minutes: November 10, 2005
 - b. Roster accuracy
 - c. Meeting schedule
 - d. Bar profiles set up
2. Publications Subcommittee Report (Colin Wied)
 - a. Business Law News
 - i. Small Business Bankruptcy article submitted by Paul Pascuzzi
 - ii. Colin Wied submission of article from Family Law program at Annual Meeting
 - iii. Other BLN article topics—inquiry from Jim Menton
 - b. Annual review
 - c. Other publication channels and topics—Chapter 11 Manual
3. Legislation Subcommittee Report (David Meadows)
 - a. Conference call with Neil Wertlieb re BLS Standing Committee Guidelines for Legislation; deadlines for ALP (Paul Pascuzzi)
 - b. Possible ALP re CCP § 703.130 and other California provisions containing erroneous references to Bankruptcy Code (or Act!) (Bill Sias)
 - c. Fairness in Bankruptcy Litigation Act of 2005 (re venue) [S.314] (Molly Baier/Lisa Fenning): ILC comment finalized, not expected to move until January 2006
 - d. S.256 (BAPCPA):
 - i. Liaison to Central District Ad Hoc Committee (Barry Glaser)

- ii. Review of Interim Rules and Forms; comment (Mary Jo Wiggins)
 - iii. Possible amendments re attorney liability; other “clean-up” legislation; not expect any activity until January 2006; (S. 1879; S. 1647; S. 1787) (David Meadows)
 - iv. Identity theft legislation affect on BAPCPA; coordination with Financial Institutions and Consumer Protection Services committees (David Meadows)
 - e. California Law Revision Commission
 - i. Mechanics lien revisions; probable early 2006
 - ii. Assignment for benefit of creditors; status (Mark Porter)
 - f. CCP § 697.530 and problems perfecting lien upon assets of a foreign corporation in California (Mark Porter/Paul Pascuzzi)
 - g. CCP §§ 708.110 *et seq.* and other secret liens; education project with UCC Committee (Mark Porter)
 - h. Model Real Estate Sale Order (Paul Pascuzzi): Ex Comm approval
 - i. 580b Protections on refinance; possible ALP (Barry Glaser)
 - j. Lis Pendens case; possible ALP (Paul Pascuzzi)
 - k. Other state and federal bills (David Meadows)
 - i. HR 4296 preferences
 - ii. Email from Larry Doyle re B & P Code change
 - l. Uniform Debt Management Services Act (Paul Pascuzzi)
4. Education Subcommittee Report (Liz Berke-Dreyfuss/Donna Parkinson)
- a. Winter Section Education Institute January 27-29, 2006, “The New Bankruptcy Act: What Every General Practitioner Should Know”
 - b. State Bar 2006 Annual Meeting deadlines
 - i. January 24, 2006, topic and descriptions deadline
 - c. Other program ideas for continuing education; any volunteers?
 - i. Topics: Programs on bankruptcy reform legislation; Small Business Bankruptcy; Commencing a Case; Executing a Case; Conclusion of a

Case; Landlord Issues; Construction/Bankruptcy; Healthcare Bankruptcy issues; Securities/Bankruptcy

- ii. Venues: teleseminars, co-sponsorships with other State Bar committees, San Jose Inns of Court and other local bar groups

5. Website and Constituency Subcommittee Report (Eve Karasik)

- a. Web updates
 - i. General annual review and update of webpage
 - ii. Links to interim rules and forms re implementation of BAPCPA
 - iii. Link to place to purchase tape of Annual Meeting Family Law program
 - iv. Other ideas
- b. E-Bulletins (Paul Pascuzzi)
 - i. Mini-articles/case updates/BAPCPA news
 - ii. Announcements re upcoming programs
 - iii. Ideas for other topics
- c. Solicitation for constituency list from attendees of CBF Annual Conference (Eve Karasik, Doug Boven, Paul Pascuzzi)

6. Update from ExComm Liaison (Rob Harris)

7. New Business

- a. Glitch in 362(b)(24) regarding post-petition transfers to BFPs (Lisa Fenning)
- b. State Bar education pamphlet, "What Can I Do if I Can't Pay My Debts" (Paul Pascuzzi)
- c. Venture Capital Financing Opinions Project (Paul Pascuzzi)

8. Adjournment

⇒ Next meeting: January 20, 2006 – Procopio Cory Hargreaves & Savitch LLP
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